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6 UNITED STATES DISTRICT COURT FOR THE
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

10 CASE NO. MJ23-174

11 Plaintiff,

12 v.

13 COMPLAINT for VIOLATIONS

14 DION JAMAR COOPER, and

15 DE'ONDRE LAMONTIA PHILLIPS, a/k/a
16 DEONDRE LAMONTIA McDougle,

17 Defendants.

18 BEFORE John L. Weinberg, United States Magistrate Judge, U. S. Courthouse,
19 Seattle, Washington.

20 **COUNT 1**
21 **(Straw Purchasing of Firearms)**

22 On or about April 12, 2023, in King County, within the Western District of
23 Washington, DION JAMAR COOPER and DE'ONDRE LAMONTIA PHILLIPS did
24 knowingly purchase, and conspire to purchase, the below-listed firearms:

- 25 • Heckler & Koch, Model P2000SK .40 caliber handgun;
26 • Taurus, Model G3 9mm caliber handgun;
27 • Glock 17 9mm caliber handgun;

- 1 • Girsan, Model MC P35, 9mm caliber handgun;
- 2 • Tisas M1911 .45 ACP caliber handgun;
- 3 • Springfield Armory Model XD40 .40 S&W caliber handgun;
- 4 • Glock 21 .45 ACP caliber handgun;
- 5 • Glock 17 9mm caliber handgun;
- 6 • Glock 17 9mm caliber handgun; and
- 7 • Glock 23 .40 S&W caliber handgun;

in and otherwise affecting interstate and foreign commerce, for, on behalf of, and at the request and demand of DE'ONDRE LAMONTIA PHILLIPS, knowing and having reasonable cause to believe that DE'ONDRE LAMONTIA PHILLIPS had been convicted of the following crimes punishable by a term of imprisonment exceeding one year:

Violation of the Uniform Controlled Substances Act – Delivery of Heroin, in King County Superior Court, on or about September 25, 2015, under cause number 14-1-03380-6;

Unlawful Possession of a Firearm in the First Degree and Assault in the Second Degree (two counts), in King County Superior Court, on or about June 19, 2009, under cause number 08-1-02727-5.

All in violation of Title 18, United States Code, Section 932(b)(1) and Section 2.

COUNT 2

(Trafficking in Firearms)

On or about April 12, 2023, in King County, within the Western District of Washington, DION JAMAR COOPER and DE'ONDRE LAMONITA PHILLIPS did knowingly transfer, and conspire to transfer, the below-listed firearms:

- Heckler & Koch, Model P2000SK .40 caliber handgun;
- Taurus, Model G3 9mm caliber handgun;
- Glock 17 9mm caliber handgun;
- Girsan, Model MC P35, 9mm caliber handgun;
- Tisas M1911 .45 ACP caliber handgun;

- Springfield Armory Model XD40 .40 S&W caliber handgun;
 - Glock 21 .45 ACP caliber handgun;
 - Glock 17 9mm caliber handgun;
 - Glock 17 9mm caliber handgun; and
 - Glock 23 .40 S&W caliber handgun;

to DE'ONDRE LAMONTIA PHILLIPS, in and otherwise affecting interstate and foreign commerce, knowing and having reasonable cause to believe that the possession of firearms by DE'ONDRE LAMONTIA PHILLIPS would constitute a felony, that is, *Unlawful Possession of Firearms*, in violation of Title 18, United States Code, Section 922(g)(1).

All in violation of Title 18, United States Code, Section 933(a)(1) and (3), and Section 2.

COUNT 3
(Trafficking in Firearms)

On or about April 12, 2023, in King County, within the Western District of Washington, DION JAMAR COOPER and DE'ONDRE LAMONITA PHILLIPS did knowingly receive, and conspire to receive, the below-listed firearms:

- Heckler & Koch, Model P2000SK .40 caliber handgun;
 - Taurus, Model G3 9mm caliber handgun;
 - Glock 17 9mm caliber handgun;
 - Girsan, Model MC P35, 9mm caliber handgun;
 - Tisas M1911 .45 ACP caliber handgun;
 - Springfield Armory Model XD40 .40 S&W caliber handgun;
 - Glock 21 .45 ACP caliber handgun;
 - Glock 17 9mm caliber handgun;
 - Glock 17 9mm caliber handgun; and
 - Glock 23 .40 S&W caliber handgun;

1 in and otherwise affecting interstate and foreign commerce, knowing and having
2 reasonable cause to believe that the receipt of firearms by DE'ONDRE LAMONTIA
3 PHILLIPS would constitute a felony, that is, *Unlawful Possession of Firearms*, in
4 violation of Title 18, United States Code, Section 922(g)(1).

5 All in violation of Title 18, United States Code, Section 933(a)(2) and (3), and
Section 2.

6 **COUNT 4**

7 **(Possession of Controlled Substances with Intent to Distribute)**

8 On or about April 12, 2023, in King County, within the Western District of
9 Washington, DE'ONDRE LAMONTIA PHILLIPS did knowingly and intentionally
10 possess, with the intent to distribute, controlled substances, including methamphetamine,
11 a substance controlled under Title 21, United States Code.

12 It is further alleged that the offense involved 50 grams or more of a mixture or
13 substance containing a detectable amount of methamphetamine.

14 All in violation of Title 21, United States Code, Sections 841(a)(1) and
15 841(b)(1)(B).

16 **COUNT 5**

17 **(Possession of a Firearm in Furtherance of a Drug Trafficking Crime)**

18 On or about April 12, 2023, in King County, within the Western District of
Washington, DE'ONDRE LAMONTIA PHILLIPS knowingly possessed a firearm, that
19 is, a FNH, Model Five-Seven, 5.7x28mm caliber pistol, in furtherance of a drug
20 trafficking crime for which he may be prosecuted in a court of the United States, that is,
21 *Possession of Controlled Substances with Intent to Distribute*, as alleged in Count 4
22 above.

23 All in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

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COUNT 6

(Unlawful Possession of Firearms)

On or about April 12, 2023, in King County, within the Western District of Washington, DE'ONDRE LAMONTIA PHILLIPS, knowing he had been convicted of the following crimes punishable by a term of imprisonment exceeding one year:

Violation of the Uniform Controlled Substances Act – Delivery of Heroin, in King County Superior Court, on or about September 25, 2015, under cause number 14-1-03380-6;

Unlawful Possession of a Firearm in the First Degree and Assault in the Second Degree (two counts), in King County Superior Court, on or about June 19, 2009, under cause number 08-1-02727-5;

did knowingly possess, in and affecting interstate and foreign commerce, a firearm, that is: a FNH, Model Five-Seven, 5.7x28mm caliber pistol; and a Shadow Systems, Model XR920, 9mm Parabellum caliber pistol, both of which had traveled in interstate and foreign commerce.

All in violation of Title 18, United States Code, Section 922(g)(1).

The undersigned, Catherine Cole, complainant being duly sworn states:

I am a Special Agent (SA) with the United States Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), and have been so employed since December 29, 2013. I am an “investigative or law enforcement officer of the United States” within the meaning of Title 18, United States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in Title 18, United States Code, Section 2516. I am currently assigned to the Seattle Group V Field Office where I am further assigned to the Puget Sound Regional Crime Gun Task Force (PSRCGTF).

I am a graduate of the Federal Law Enforcement Training Center, Criminal Investigator Training Program, and the ATF National Academy, both in Glynco, Georgia. During this 27-week training, I received instruction relating to the investigation of firearm and explosives violations. Following this training, I received one year of on-the-

1 job training in the field. Prior to this employment, I obtained bachelors' degrees in
 2 Political Science with a concentration on international relations and French from Tulane
 3 University in New Orleans, Louisiana, and a master's degree in Natural Resources Law
 4 Studies from the University of Denver College of Law in Denver, Colorado. During my
 5 career with ATF, I have had training and experience investigating violent crimes against
 6 persons and crimes against the government. I have been involved in numerous
 7 investigations involving the unlawful purchase and/or unlawful possession of firearms
 8 and narcotics. I have also participated in and executed search and seizure warrants with
 respect to the illegal possession of firearms and narcotics.

9 This affidavit is made based upon my personal knowledge, training, experience
 10 and investigation, as well as upon information provided to me and my review of reports
 11 prepared by other law enforcement personnel. This affidavit is made for the purpose of
 12 establishing probable cause for this Complaint and thus does not include every fact
 13 known to me concerning this investigation.

14 SUMMARY OF PROBABLE CAUSE

15 Identification of Dion Cooper as a Straw Purchaser of Firearms

16 On January 29, 2023, an armed robbery occurred in the Rainier Valley area of
 17 Seattle, Washington. During the robbery, a 25-year-old Asian female victim had just
 18 arrived home and was unloading her car when three unidentified black males approached
 19 her. One of the males pointed a handgun at her and demanded her belongings as another
 20 suspect got in the driver seat of her car. The victim handed over her phone and purse and
 21 the suspect punched her multiple times. The suspect in the driver's seat was unable to
 22 start the car and exited the vehicle. Fearing for her life, the victim jumped back in her car,
 23 locked the doors, and drove away. The suspects chased her in a white sedan, but she was
 24 able to elude them and eventually called 911. Officers with the Seattle Police Department
 25 (SPD) responded but could not locate the suspects. The victim located a handgun – a
 26 Glock Model 22 .40 caliber handgun – that the suspect dropped when he got inside her
 27 vehicle and SPD officers recovered it.

1 Officers processed the firearm and submitted the information into a database of
 2 firearms that had been recovered in crimes (“crime guns”). The database assists law
 3 enforcement by tracing the purchase of a firearm back to its original purchaser, thereby
 4 providing potential investigative leads following crimes during which firearms are
 5 recovered. According to the crime gun database, the original purchaser of the recovered
 6 Glock pistol was defendant Dion Jamar Cooper. Cooper purchased the firearm 50 days
 7 earlier, on December 10, 2022, from Ben’s Loans, a pawnshop located in Renton,
 8 Washington. SPD officers learned from other law enforcement databases that Cooper was
 9 linked to over 80 additional firearm purchases and had a now-expired Concealed Pistol
 License (CPL).

10 **Cooper’s Firearm Purchase History**

11 After learning about this robbery incident and other information about Cooper,
 12 I suspected he may be a “straw purchaser” of firearms (*i.e.*, someone who purchases
 13 firearms on behalf of other people). Although Cooper has been arrested for various
 14 offenses, including domestic violence, theft in the third degree, burglary, rendering
 15 criminal assistance, assault in the second degree (domestic violence), and possession of a
 16 stolen firearm, he has no criminal convictions. Therefore, he is not a “prohibited person”
 17 and may legally possess firearms.

18 I began to investigate Cooper’s firearm purchase history and the extent to which
 19 the firearms he purchased had been recovered and linked to crimes through the crime gun
 20 databases. I learned that Cooper has purchased at least 107 firearms from various Federal
 21 Firearms Licensees (FFLs) around the greater Seattle area during the period from
 22 June 2021 through March 2023. Approximately 24 of these transactions involved
 23 multiple sales, meaning Cooper bought two or more firearms during the same
 24 transaction.¹ Many of these sales included purchases of four or more firearms. Many of
 25 the firearms that Cooper purchased were of similar makes and models, and in many cases

26 ¹ Because not all multiple sales were reported by the FFLs, the number of firearms Cooper purchased is likely higher
 27 than 107.

1 the exact same make and model. Cooper purchased these firearms from at least nine
 2 FFLs.²

3 Of the at least 107 firearms Cooper purchased since June 2021, at least 21 have
 4 been recovered in crimes and traced. At least three more were recovered in criminal
 5 investigations but had not yet been submitted for tracing. All but two of these recovered
 6 firearms were found in the possession of someone other than Cooper, and usually the
 7 possessor was prohibited from possessing firearms.

8 The “time-to-crime” for the traced firearms (*i.e.*, the amount of time between the
 9 retail sale of a firearm and its recovery by law enforcement after the commission of a
 10 crime) ranged from between two days and 268 days. The ATF considers a time-to-crime
 11 of less than three years as a potential indicator of firearms trafficking. Significantly, I was
 12 not able to find a single instance in which Cooper reported any of the firearms he
 13 purchased lost or stolen.

14 Based on my training and experience, several aspects of Cooper’s firearm
 15 purchases are consistent with straw purchasing, including: the large number of firearms
 16 that Cooper purchased in a short period of time; the fact that he would purchase multiple
 17 firearms of the exact same make and model during the same transaction and over several
 18 transactions; and that a large percentage of the guns he purchased ended up recovered at
 19 crime scenes in the possession of other persons with a relatively short time-to-crime span.

20 When a person purchases a firearm from an FFL, that person is required to
 21 complete an ATF Form 4473. This is the form that is used to initiate the background
 22 check on the purchaser. Among other questions, the ATF Form 4473 asks whether the
 23 person completing the form is the “actual transferee/buyer of the firearm(s) listed on the
 24 form.” The ATF Form 4473 further states in Box 21, Section a.: **“Warning: You are
 25 not the actual transferee/buyer if you are acquiring the firearm(s) on behalf of
 another person. If you are not the actual transferee/buyer, the licensee cannot**

26 ² There is no national registry of firearm purchases, so agents identify firearm purchases by obtaining records from
 27 each individual FFL. Agents intend to investigate whether Cooper purchased firearms at other local FFLs.

1 transfer the firearm(s) to you.” A person who answers this question falsely by
2 affirming that he or she is the true buyer of the firearm when he or she is actually
3 purchasing the firearm on behalf of another person has violated Title 18, United States
4 Code, Sections 922(a)(6) and 924(a)(1)(A), by making a material false statement in
connection with the acquisition of a firearm.

I reviewed the ATF Form 4473's related to Cooper's purchases of the above-referenced firearms. In each instance, Cooper indicated and checked the box affirming "yes" for Box 21, Section a., declaring he was purchasing the firearms for himself.

Surveillance Operation Conducted on March 16, 2023

On March 16, 2023, J.L., a representative from Rehv Arms, an FFL located in Covington, Washington, contacted me to report that Cooper had filed an application to purchase three firearms and was undergoing a standard background check. The FFL was waiting for Cooper to call them to arrange to pick up the firearms. J.L. later told me that Cooper was scheduled to come to the store to obtain the firearms on March 21, 2023.

14 On that date, ATF agents conducted physical surveillance of Cooper during and
15 after the firearms transaction at Rehv Arms. Cooper arrived at the store as the passenger
16 in a Chevrolet Tahoe SUV registered to defendant De'ondre Lamontia Phillips, who is a
17 convicted felon.³ Agents were able to positively identify Phillips as the driver of the
Tahoe.

18 Cooper exited the passenger seat of the Tahoe and entered Rehv Arms alone,
19 while Phillips stayed in the vehicle. Cooper later exited the store carrying a large
20 cardboard box. He loaded the box into the Tahoe reentered the passenger seat. The Tahoe
21 then departed the store parking lot and drove to a Chevron gas station in Kent,
22 Washington. There, Phillips conducted a brief hand-to-hand transaction with an unknown

25 ³ I have reviewed Phillips' criminal history and confirmed that he has criminal convictions for the felony offenses of
26 *Violation of the Uniform Controlled Substances Act – Delivery of Heroin*, in King County Superior Court, under
27 cause number 14-1-03380-6, on or about September 25, 2015; and *Unlawful Possession of a Firearm in the First
Degree and Assault in the Second Degree* (two counts), in King County Superior Court, under cause number 08-1-
02727-5, on or about June 19, 2009.

1 black male. This male approached the Tahoe and began counting money. Phillips
 2 exchanged an unknown item for the cash.

3 The Tahoe then drove to the Mariposa Apartments in Federal Way, Washington.
 4 Phillips opened the door to a garage, went inside the garage for a few minutes, and then
 5 returned to the Tahoe carrying a silver shopping bag. The Tahoe then drove to a Wendy's
 6 restaurant and ultimately to Cooper's apartment at 25819 26th Place South, Unit B204,
 7 Kent, Washington. Cooper exited the passenger seat of the Tahoe carrying a black
 8 backpack, multiple brown paper bags, and take-home food containers. Cooper entered the
 apartment and went inside.

9 I later obtained the completed Form 4473 that Cooper filled out at Rehv Arms that
 10 day. It reflected that Cooper purchased eight firearms instead of the three he had initially
 11 requested. I believe these eight firearms were in the box that Cooper carried out of Rehv
 12 Arms and loaded into the Tahoe. Cooper did not take the box out of the Tahoe when he
 13 entered his apartment.

14 **Interviews with Ben's Loans and Rehv Arms Employees**

15 I went to Ben's Loans to collect numerous ATF Form 4473s from M.Z., an
 16 employee. I showed M.Z. Cooper's Washington driver's license photo, and M.Z.
 17 confirmed that the person depicted in the photo was who she knew as "Dion." M.Z. told
 18 me that she is very familiar with Cooper and that recently he exclusively dealt with her in
 19 terms of his firearms purchases at Ben's Loans. M.Z. said Cooper "seemed a little bit out
 20 of it lately," but that he never smelled like alcohol or marijuana when he came in to buy
 21 firearms. M.Z said Cooper always paid for the guns with cash and that he always got a
 22 ride to Ben's Loans from someone else. M.Z. described a dark colored SUV that Cooper
 23 was associated with, which often drove him to the store and parked in the stall furthest
 away from the store entrance. This vehicle matches the description of Phillips' Tahoe.

24 I also went to Rehv Arms to speak with the employees about Cooper. I asked them
 25 to describe typical interactions with Cooper. S.M. said when Cooper first began
 26 patronizing the store, S.M. thought he was either high on marijuana or just "slow." S.M.
 27 later came to believe Cooper "was being taken advantage of" and that he "wasn't very

1 smart." S.M. explained that the first time he came into Rehv Arms to purchase a firearm,
 2 Cooper video-recorded the entire transaction on his phone. Cooper walked around the
 3 store recording the shelves and gun cases as if he was recording the store's inventory.
 4 According to S.M., on other occasions, Cooper was on Facetime with other unidentified
 5 males and showed them firearms over Facetime for the males to comment on. S.M. said
 6 Cooper typically comes into the store alone, but during one transaction in February 2023,
 7 he was accompanied by two unknown males who asked the staff about purchasing
 machineguns.

8 S.M. said Cooper always pays in cash and that he tries to "max out" the cash he
 9 has on hand by spending it all during the transactions. Another employee, R.D., further
 10 explained that Cooper will go in and purchase items and if he has any cash leftover, he
 11 will spend it on something else like another firearm or accessories. The employees had
 12 only seen Cooper arrive at the store in a dark-colored SUV.

13 S.M. explained that during one recent transaction with Cooper, S.M. took the
 14 opportunity to advise Cooper of some recent changes to the ATF Form 4473 (which was
 15 revised in December 2022). S.M. told Cooper, "Hey man, you're buying these for
 16 yourself, right?" Cooper replied something to the effect of, "Yep, they're all for me."
 17 S.M. further described another interaction with Cooper when S.M. noticed he was buying
 18 duplicate makes and models of firearms that he had previously purchased. S.M. asked
 19 Cooper what happened to the guns he previously bought, to which Cooper responded
 20 something to the effect of, "I lost a bunch of them," and, "All my shit got stolen."

21 I asked staff members what they believed Cooper was doing with the firearms he
 22 purchased. They stated that he is likely selling them to other people. Based on S.M.'s
 23 experience as an FFL employee, he was concerned that Cooper had falsely represented
 24 himself as the actual buyer of the firearms and instead was purchasing firearms for others
 to possess.

25 Based on my training and experience, I believed several aspects of Cooper's
 26 purchases are consistent with straw purchasing, including: the large number of firearms
 27 that Cooper purchased in a short period of time; that he purchased multiple firearms of

1 the exact same make and model during the same transaction and over multiple
 2 transactions; that a large percentage of the guns he purchased ended up recovered at
 3 crime scenes in the possession of other persons with a relatively short time-to-crime span;
 4 that he paid in cash; that he was accompanied to the FFLs by other people who waited in
 5 the parking lot instead of joining him inside the stores; and that he communicated with
 6 others by Facetime and/or videotaped some of the transactions.

Cooper's Applications to Purchase Additional Firearms

7 In early April 2023, investigators obtained a state tracking warrant for Phillips'
 8 Tahoe. The tracking data documented that on April 4, 2023, the Tahoe went to Cooper's
 9 apartment and then drove to Ben's Loans FFL. On April 5, 2023, the Tahoe again drove
 10 to Cooper's apartment and then to Ben's Loans FFL. The Tahoe later drove to the
 11 location of the Rehv Arms FFL and eventually returned to Cooper's apartment.

12 I spoke with employees at Ben's Loans who confirmed that Cooper was at the FFL
 13 on April 4th and April 5th. On April 4th Cooper completed the paperwork to purchase four
 14 pistols: a Smith and Wesson Model M&P 15 AR rifle, two Glock 17 9mm caliber pistols,
 15 and a Glock 23 .40 caliber pistol. On April 5th, Cooper filled out an ATF Form 4473 for
 16 the purchase of an Anderson Arms Model AM-15 AR-style pistol.

17 I also spoke with employees at Rehv Arms who confirmed that Cooper was at the
 18 FFL on April 5th. Cooper filled out an ATF Form 4473 for the purchase of a Glock 21
 19 10mm caliber pistol. The employees also informed me that on April 1st, Cooper was at
 20 the FFL and requested them to build a firearm out of an AR upper receiver that Cooper
 provided.

Investigative Activities on April 12, 2023

21 I obtained a federal search warrant, issued by The Honorable Brian A. Tsuchida,
 22 United States Magistrate Judge, authorizing the search of Cooper's person, residence, and
 23 any recovered cell phones. *See MJ23-165.* In conjunction with this investigation, local
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 27

1 investigators obtained state search warrants, authorized by a King County Superior Court
 2 Judge, to search Phillips' Tahoe and residence.⁴

3 On April 12, 2023, investigators conducted physical surveillance on Phillips and
 4 Cooper. Phillips drove the Tahoe from his residence to Cooper's apartment. Cooper
 5 entered the Tahoe and they drove to the Rehv Arms FFL. Cooper went inside of the store
 6 alone and eventually returned to the Tahoe. According to Rehv Arms records, Cooper
 purchased the following firearms at the store that day:

- 7 • Heckler & Koch, Model P2000SK .40 caliber handgun with SN 122-000326;
- 8 • Taurus, Model G3 9mm caliber handgun with serial number ADG486677;
- 9 • Glock 17 9mm caliber handgun with serial number KZS916;
- 10 • Girsan, Model MC P35, 9mm caliber handgun with SN T6368-22EU005584;
- 11 • Tisas M1911 .45 ACP caliber handgun with serial number T0620-22Z01842;
- 12 • Springfield Armory Model XD40 .40 S&W caliber handgun, SN XD300481;
- 13 • Glock 21 .45 ACP caliber handgun with serial number BYWC267.

14 Phillips then drove Cooper to Ben's Loans FFL. Cooper again entered the store
 15 alone and left with what appeared to be three firearm boxes that he loaded inside of the
 16 Tahoe. According to Bens Loans records, Cooper purchased the following firearms at the
 17 store that day:

- 18 • Glock 17 9mm caliber handgun with serial number AHPK009;
- 19 • Glock 17 9mm caliber handgun with serial number 00108GEN1; and
- 20 • Glock 23 .40 S&W caliber handgun with serial number UXU051.

21 Phillips then drove with Cooper to the garage unit at the Mariposa Apartments in
 22 Federal Way. Surveillance officers watched as Phillips opened the garage door using a
 23 key from a lanyard in his possession. Phillips appeared to enter the garage unit alone
 24 while Cooper stayed in the car. Officers observed Phillips exit the garage with what

25
 26 ⁴ Phillips lives at the Berkeley Heights Apartments at 22609 91st Way S, Unit #J102 in Kent, Washington. He is the
 27 sole leasee of the apartment and his Tahoe is regularly at the apartment complex, according to the apartment
 building staff and the tracking device on the Tahoe.

1 looked like the same large cardboard box that Cooper had carried out from the Rehv
 2 Arms FFL on March 21, 2023. Phillips placed the box inside the back seat of the Tahoe
 3 and drove away.

4 Phillips dropped Cooper off at a bus stop in Federal Way. Cooper boarded a bus
 5 and was contacted by officers at the Federal Way Transit Center. Cooper had one firearm
 6 on his person, a Glock 43X 9mm caliber handgun with serial number BYPN657, along
 7 with two loaded high-capacity drum magazines.

8 Shortly thereafter, the federal search warrant was executed at Cooper's apartment.
 9 No firearms were located inside the apartment. Based on my training and experience, the
 10 fact that Cooper had purchased over 100 firearms and had none of them in his apartment
 11 is further evidence that he was purchasing the firearms for other persons.

Search Warrants Executed on Phillips' Vehicle, Residence, and Garage

12 Investigators continued to follow Phillips after he dropped Cooper off at the bus
 13 stop. Phillips eventually drove his Tahoe to a gas station in Kent. He was the only
 14 occupant of the Tahoe. When he exited the Tahoe at the gas station, officers attempted to
 15 contact Phillips. When Phillips saw the officers, he attempted to flee on foot, but after a
 16 short pursuit he was taken into custody.

17 Officers searched the Tahoe pursuant to a state search warrant and located the
 18 following contraband evidence:

- 19 • FNH, Model Five-Seven, 5.7x28mm caliber pistol with serial number
 20 386264899. This firearm was lying in open view on the driver's floorboard.
 21 The pistol was loaded with a magazine containing 19 rounds of 5.7x28mm
 22 caliber ammunition.
- 23 • Shadow Systems, Model XR920, 9mm Parabellum caliber pistol, with
 24 serial number SSX045847. This firearm was found in the back seat of the
 25 Tahoe in a small white box contained inside of a larger cardboard box. This

1 appears to be the same box that officers observed Phillips take from the
 2 garage in Federal Way earlier that day.⁵

- 3 • A 5.7mm firearm magazine found inside of small black cloth bag contained
 4 in a larger blue duffle bag. The duffle bag was found on the backseat of the
 5 Tahoe. Surveillance officers had observed Phillips carrying this same blue
 6 uffle bag from his apartment into the Tahoe earlier that morning.
- 7 • Controlled substances including: 106.6 grams of blue M30 pills (suspected
 8 to contain fentanyl); 51.7 grams of methamphetamine (field-tested
 9 positive); along with drug packaging and a digital scale. Most of the
 controlled substances were found inside of the blue duffle bag.

10 Investigators also executed a state search warrant on Phillips' apartment. No one
 11 was located inside. Officers recovered the below-listed fifteen firearms at the apartment:

- 12 • Glock 19 9mm caliber handgun with serial number BUKK259 (purchased by
 13 Cooper on February 18, 2023);
- 14 • Glock 43X 9mm caliber handgun with serial number BYPN654 (purchased by
 15 Cooper on March 21, 2023);
- 16 • Taurus G3 9mm caliber handgun with serial number ADG486677 (purchased
 17 by Cooper on April 12, 2023);
- 18 • Springfield Armory, Model XD40, .40 S&W caliber handgun with serial
 19 number XD300481 (purchased by Cooper on April 12, 2023);
- 20 • Glock 17 9mm caliber handgun with serial number AHPK009 (purchased by
 21 Cooper on April 12, 2023);
- 22 • Glock 21 .45 ACP caliber handgun with serial number BYWC267 (purchased
 23 by Cooper on April 12, 2023);

24 ⁵ I am a certified ATF Interstate Firearms and Ammunition Nexus Expert, who has been trained in the recognition of
 25 firearms and ammunition and their origin of manufacture. I examined the FNH, Model Five-Seven, 5.7x28mm
 26 caliber pistol with serial number 386264899, and the Shadow Systems, Model XR920, 9mm Parabellum caliber
 27 pistol, with serial number SSX045847. I was able to determine both pistols were not manufactured in the State of
 Washington. Based upon my experience, knowledge, and research, it is also my opinion that the FNH and Shadow
 Systems handguns each meet the definition of a "firearm" under Title 18, United States Code, Section 921(a)(3). It
 is also my opinion that, because the above-listed firearms were not manufactured in the State of Washington, they
 therefore must have traveled in interstate commerce if they were received or possessed in the State of Washington.

- 1 • Tisas M1911 .45 ACP caliber handgun with serial number T0620-22Z01842
2 (purchased by Cooper on April 12, 2023);

3 • Girsan MCP35 handgun serial #T6368-22EU05584 (purchased by Cooper on
4 April 12, 2023);

5 • Glock 23 .40 S&W caliber handgun with serial number UXU051 (purchased by
6 Cooper on April 12, 2023);

7 • Glock 17 9mm caliber handgun with serial number 00108GEN1 (purchased by
8 Cooper on April 12, 2023);

9 • Glock 17 9mm caliber handgun with serial number KZS916 (purchased by
10 Cooper on April 12, 2023)

11 • Glock 23 .40 S&W caliber handgun with serial number PBB239;

12 • Romarm Cugir, Mini Draco 7.62 x 39mm caliber AK-47 variant pistol with
13 serial number ROA22DG5723;

14 • Ruger PC Charger 9mm handgun with serial number 91335066; and

15 • Ruger Five-Seven 5.7 x 28mm caliber handgun with an obliterated serial
16 number.

17 Officers also recovered evidence of drug trafficking inside of Phillips' apartment,
18 including:

- 19 • 518.1 grams of blue M30 pills (suspected to contain fentanyl);
20 • 246.4 grams of methamphetamine (field-tested positive); and
21 • Over \$22,000 in cash.

22 As investigators were nearing the completion of the search, a female (RDK)
23 arrived at Phillips' apartment. RDK stated that she periodically stayed at the apartment
24 with Phillips. She explained that she had her own closet in the apartment's bedroom and
25 that the only items in the apartment that belonged to her were female clothes, shoes, an
26 iPad, and some cash that was located on the top of the refrigerator. She also said that she
27

1 put some cash inside a jacket pocket in the other bedroom closet.⁶ RDK denied any
 2 knowledge of the firearms that were present inside the apartment.

3 Local investigators also obtained a state search warrant for the above-referenced
 4 garage in Federal Way where Phillips had been seen twice before, including earlier that
 day. The warrant was executed on April 12, 2023. Officers recovered:

- 5 • Romarm Cugir, Micro Draco AK-47 variant 7.62 x 39mm caliber pistol with
 6 serial number PMD-33509 (purchased by Cooper on March 21, 2023);
- 7 • Ruger, Model 10/22, .22LR caliber rifle with serial number 251-20165;
- 8 • Derya Arms, Model VRPA40, magazine fed 12-gauge shotgun with serial
 9 number R245194;
- 10 • Privately Manufactured 5.56 x 45mm caliber short-barreled rifle with no serial
 11 number;
- 12 • Privately Manufactured 5.56 x 45mm caliber short-barreled rifle with no serial
 13 number; and
- 14 • Hundreds of rounds ammunition and various firearm accessories.

15 **Interview of Cooper and his Admission of Straw Purchasing**

16 On April 12, 2023, at approximately 5:35 p.m., I interviewed Cooper along with
 17 another officer at the Kent City Jail., where Cooper had been booked on a violation for
 18 carrying a firearm without a CPL. We read Cooper his *Miranda* rights. He waived those
 19 rights and agreed to speak with us. The full interview was recorded.

20 Cooper ultimately confessed to being a straw purchaser, that is, purchasing
 21 numerous firearms for other people. However, he initially lied about his conduct. For
 22 example, Cooper claimed that he purchased large quantities of firearms because he liked
 23 guns. He said he bought the same type of firearms repeatedly because he liked going out
 24 to secluded areas to fire the guns at the same time. He claimed that he no longer had any

25
 26 ⁶ Officers recovered a large sum of cash from the pocket of a men's jacket hanging inside this second closet, which
 27 also contained numerous men's clothing items, a firearm, ammunition, narcotics, a digital scale, and other drug
 paraphernalia.

1 of the guns he purchased because they had been stolen from his car and/or burned in a
 2 house fire in Lynnwood. When asked where the guns were that he had purchased earlier
 3 that day, Cooper said that he dropped the guns off at a friend's house. He refused to
 4 identify the friend because he did not want to "incriminate" him.

5 After further questioning, Cooper admitted that he had been buying firearms for
 6 Phillips and that he lied on the ATF Form 4473's by claiming he was purchasing the guns
 7 for himself. According to Cooper, he began buying guns for Phillips sometime in 2022.
 8 He denied knowing that Phillips was a convicted felon, although he acknowledged being
 9 friends with Phillips since they were teenagers. Cooper said he had bought "quite a few"
 10 firearms for Phillips in total. Cooper explained that Phillips would give him the money
 11 for the firearms and drive Cooper to the FFL stores. Cooper would pick out the guns
 12 himself and fill out the paperwork. He would then wait for the "proceed" on the
 13 background check before going back to the FFL stores to pick-up the firearms. Cooper
 14 claimed that Phillips never paid him extra money for straw purchasing the firearms.

15 Cooper also identified another person for whom he straw purchased firearms.
 16 According to Cooper, he had purchased more firearms for this other person than for
 17 Phillips. Cooper said this other person supplied the guns to members of a "clique," but
 18 claimed not to know who they were or what they used the firearms for.

19 Although Cooper denied knowing that Phillips was a convicted felon, I submit that
 20 Cooper had reasonable cause to believe that Phillips could not legally possess firearms.
 21 First, as noted above, Cooper admitted to having been friends with Phillips since they
 22 were teenagers. Second, the surreptitious nature of the way Cooper purchased the
 23 firearms on Phillips' behalf is strong circumstantial evidence that Cooper knew Phillips
 24 could not legally purchase or possess firearms, including that: Cooper repeatedly lied on
 25 the ATF Form 4473's; Phillips remained in his vehicle while Cooper purchased the
 26 firearms on his behalf; and the large volume of transactions conducted in this manner
 27 over a substantial period. Lastly, Cooper initially told me that he did not want to identify
 Phillips because he did not want to "incriminate" him, which only makes sense if Cooper
 knows that Phillips could not legally possess the firearms.

CONCLUSION

Based on the foregoing facts, I respectfully submit that there is probable cause to believe that DION JAMAR COOPER and DE'ONDRE LAMONTIA PHILLIPS committed the offenses listed in this Complaint.

CATHERINE COLE Digitally signed by CATHERINE
COLE Date: 2023.04.17 10:07:47 -07'00'

CATHERINE COLE, Complainant
Special Agent, ATF

8 The above agent provided a sworn statement attesting to the truth of the contents
9 of the foregoing affidavit. Based on the Complaint and the sworn statement, the Court
10 hereby finds that there is probable cause to believe the Defendant committed the offenses
11 set forth in the Complaint.

Dated this 17 day of April, 2023.

The Honorable John L. Weinberg
United States Magistrate Judge